

**MINUTES OF THE REGULAR MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF BARRINGTON
For Monday, June 14, 2004**

CALL TO ORDER

The Regular Meeting of the President and Board of Trustees was called to order by President Reagle at 8:10 p.m., in the Village Board Room, 200 South Hough Street, Barrington, Illinois. Pastor Ann Spurgeon led the pledge of allegiance and then gave the invocation.

ROLL CALL

Upon roll being called the following answered present: Trustees Karen Darch, Jack Schaefer, Beth Raseman, Jeanne Yeagley, Paul Hunt, Jim Daluga; President Marshall Reagle. Also present were: Village Clerk Ron Koppelman, Director of Administrative Services/ Treasurer Denise Pieroni, and Village Attorney Ed Springer.

READING OF AGENDA

President Reagle read the Agenda.

APPROVAL OF MINUTES

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Daluga to approve the minutes of the May 24th, 2004 Regular Meeting of the Corporate Authorities including the minor corrections in the draft delivered to each member of the Corporate Authorities at the dais.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed and the minutes approved.

PERSONS TO BE HEARD FROM THE FLOOR – CITIZEN'S REGISTRATION/COMMENTS

President Reagle opened the floor to those wishing to address the Corporate Authorities.

Carol Schubert of 210 Carriage Trail addressed the Board regarding a number of topics including the TIF District and urged the entire Board to resign and asked residents to run for a position on the Board.

Jeff Church of 230 Cold Spring Road representing School District 220 announced that the District would be making a presentation to BACOG and urged residents to attend.

Dario Arjamaro of Mikey's Pizza Kitchen announced plans to celebrate his one year anniversary of being in business in the Village of Barrington.

Jim Perille of 514 Lake Shore Drive expressed his concern regarding the lawsuit filed by President Reagle and how it has been characterized. Mr. Perille went on to comment on the TIF district financing and the effect the TIF district is having on Library, the School District and the Park District.

REPORTS OF VILLAGE OFFICIALS

VILLAGE PRESIDENT'S REPORT

President Reagle reminded residents about the Friends of the Barrington Area Library Book Sale on June 19th. President Reagle asked residents to attend the upcoming BACOG meeting at which District 220 will be making a public presentation. President Reagle announced that he would not veto any of the Resolutions listed on the Agenda

under the Village President's Report (i.e. 1a. Resolution 04-3019; 1b. Resolution 04-3020; 1c. Resolution 04-3021), noting however that he had not signed these Resolutions in that he was not in favor of the TIF district.

VILLAGE STAFF REPORTS

Terry Jennings Executive Director of the Barrington Park District who resides at 10601 Hagers Bend in Barrington Hills updated the Village Board on the status of the development of the park at 511 Lake Zurich Road (the former Jewel Tea Property). She presented an aerial view of the Jewel Tea Property and provided an overview of the progress of the construction of the Park. Ms. Jennings urged residents to respond to the survey that was recently sent out by the District. Ms. Jennings provided a design concept to the Board and informed the Board that the Park District would be pursuing all available grant monies that might be available to offset the cost of developing the Park.

A presentation was given by Ron Amen of Lauterbach & Amen, LLP regarding the Comprehensive Annual Financial Report for December 31, 2003. He pointed out that the Village had for the twentieth (20th) consecutive year received the Certificate of Achievement for Excellence in Financial Reporting for its 2002 report. Mr. Ron Amen noted that the 2003 report reflected full implementation of GASB 34. He then reviewed with the Board highlights of the financial statements as well as the changes made to the report as a result of GASB 34. He also advised the Board that the financial statements for the Village of Barrington received an Unqualified Audit Opinion.

Ms. Denise Pieroni acknowledged those Administrative Services staff members most directly involved with the preparation of the report and thanked them for their efforts. She also thanked the entire Board as well as the members of the Administrative Services Committee for their ongoing support. She then presented to Maggie Bosley, Assistant Director of Administrative Services, and Alison Chmelik, Chief Accountant, the plaque acknowledging the award of the Certificate of Achievement for Excellence in Financial Reporting for its 2002 report.

Ms. Pieroni concluded by reviewing upcoming Special Events including the weekly Cruise Night on Thursdays in the Village of Barrington. Ms. Pieroni reminded residents of the two day Art Fair over Father's Day weekend, Farmers Market, the Health Walk, the 9th Annual Run for the Arts, the First Annual Microbrew Fest, and the 4th of July parade and fireworks.

The Board asked Ms. Pieroni to respond to the statements regarding the use of TIF funds and the current status of the TIF fund balance. Ms. Pieroni responded that the two major projects undertaken thus far were the acquisition of the ADCO property and Streetscape. She further noted that in lieu of issuing debt, the Village had loaned moneys in the CIP Fund to TIF.

VILLAGE CLERK'S REPORT

Village Clerk Ron Koppelman read into the record that Resolution No's. 04-3019, 04-3020, and 04-3021 would become effective this evening since each Resolution was returned without President Reagle's signature.

COMMITTEE REPORTS

ADMINISTRATIVE SERVICES/FINANCE COMMITTEE

Trustee Darch congratulated Ms. Pieroni and the Administrative Services Staff on their award and the hard work that goes into the preparation of the financial statements of the Village of Barrington. Trustee Darch informed the Board that the financial health of the Village of Barrington is positive and pointed out highlights such as the funding of the Fire and Police Pension Plans as well as the increasing revenue from sales tax. Trustee Darch reported that the Committee continues to review the possible establishment of a Youth Commission and the Telecommunications Tax. She also reported that the Committee had reviewed the legal bills and were recommending that they be paid with the exception of statement from Ancel, Glink, Diamond, Bush, DiCianni & Rolek. Trustee Darch reminded residents that the Board is defending itself against litigation brought by Village President Reagle.

PLANNING & ZONING & ECONOMIC DEVELOPMENT COMMITTEE

Trustee Yeagley reported that the PZED Committee will meet Tuesday June 15th, 2004.

PUBLIC SAFETY COMMITTEE

Trustee Hunt reported that the Committee has cancelled their June meeting in that it was in conflict with the BACOG meeting at which District 220 was to make their presentation.

PUBLIC WORKS COMMITTEE

Trustee Schaefer reported that he attended a local waste management facility and provided a brief but enlightening overview of how Barrington's waste is processed. Trustee Schaefer concluded by reminding residents that June 28th is the next regularly scheduled meeting of the Committee.

CONSENT AGENDA Pursuant to 65 ILCS 5/3.1-40-40, a single roll call vote of the Village Board of Trustees and the President on a group of ordinances, resolutions, orders, and/or motions.

President Reagle asked if anyone wished to have any items removed from the Consent Agenda. None were noted.

MOTION: A motion was duly made by Trustee Daluga and seconded by Trustee Hunt to approve taking a single roll call vote to adopt and create a Consent Agenda as presented, consisting of Items 5a, 5b, 5c, 5d and 5e.

For the benefit of the public, President Reagle listed the following items to be included on the Consent Agenda.

5a. MOTION TO RECEIVE AND PLACE ON FILE a Recommendation from the Plan Commission regarding PC 04-05; Zoning Ordinance Text Amendment (Electronic Amusement Devices and Billiards and Other Similar Gaming Tables)

5b. MOTION TO RECEIVE AND PLACE ON FILE the Comprehensive Annual Financial Report (CAFR) and the Management Letter for Fiscal Year Ended December 31, 2003

5c. ORDINANCE #04-3158: Establishing the Annual Rate of Wages

5d. RESOLUTION #04-3024: Authorizing Representatives to the Intergovernmental Personnel Benefit Program

5e. RESOLUTION #04-3025: Authorizing and Approving the Waiver of Competitive Bids and to Award a Contract to Dahme Mechanical Industries for the Installation of Second Main Sewage Pump

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion to take a single roll call vote to adopt and create the Consent Agenda passed unanimously.

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Yeagley to approve, as presented, the Consent Agenda consisting of Items 5a, 5b, 5c, 5d and 5e.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion passed.

UNFINISHED BUSINESS

6a. VETO ITEM:

i. MOTION: To reconsider the vote by which Ordinance No. 04-3153 "An Ordinance of the Village of Barrington, Cook and Lake Counties, Illinois, providing for the issuance of a not to exceed \$1,775,000 Taxable Tax Increment Revenue Note (Village Center redevelopment Project), Series 2004, and pledging certain incremental property tax revenues to the payment thereof" was originally adopted.

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Schaefer to reconsider the vote by which Ordinance No. 04-3153 "An Ordinance of the Village of Barrington, Cook and Lake Counties, Illinois, providing for the issuance of a not to exceed \$1,775,000 Taxable Tax Increment Revenue Note (Village Center redevelopment Project), Series 2004, and pledging certain incremental property tax revenues to the payment thereof" was originally adopted.

Trustee Schaefer read the following statement into the record:

It has been suggested by Special Counsel that the following be presented and entered into the record prior to the consideration of the two motions (Agenda Items 6.a.i. and 6.a.ii.):

Ordinance 04-3153 was approved on May 10, 2004 and, in accordance with the provisions of the Illinois Local Government Debt Reform Act, including, without limitation, Section 10 thereof, and the Illinois Municipal Code, including, without limitation Section 1-2-4 thereof, became immediately effective. The Village President on May 24, 2004 indicated that he was vetoing said Ordinance. Without addressing the validity or effectiveness of such veto, the Board of Trustees will consider two motions to approve Ordinance 04-3153 notwithstanding the veto of the Village President to the extent that it is effective.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

ii. MOTION: To Approve Ordinance No. 04-3153 "An Ordinance of the Village of Barrington, Cook and Lake Counties, Illinois, providing for the issuance of a not to exceed \$1,775,000 Taxable Tax Increment Revenue Note (Village Center redevelopment Project), Series 2004, and pledging certain incremental property tax revenues to the payment thereof" Notwithstanding the Veto of the Village President.

MOTION: A motion was duly made by Trustee Daluga and seconded by Trustee Hunt to Approve Ordinance No. 04-3153 "An Ordinance of the Village of Barrington, Cook and Lake Counties, Illinois, providing for the issuance of a not to exceed \$1,775,000 Taxable Tax Increment Revenue Note (Village Center redevelopment Project), Series 2004, and pledging certain incremental property tax revenues to the payment thereof" Notwithstanding the Veto of the Village President.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

6b. ORDINANCE #04-3159: An Ordinance Granting a Variation Associated with a Restaurant (Permitting a Reduction for the Required Number of Parking Spaces) (Re: ZBA 04-04; 128 Wool Street: Bronco Jack's)

Mr. Jeff O'Brien presented three options that the Ordinance would grant to the Petitioner for consideration by the Board. The Board asked Mr. O'Brien if Staff felt that the option of putting parking within one quarter mile was reasonable. Mr. O'Brien commented that the distance of one quarter mile was consistent with the Zoning Ordinance, noting however, that staff could support a reduction to one eighth of a mile

Mark Green of 545 South Grove Avenue, Barrington commended the efforts of Village staff in preparing the Ordinance. He then responded to the Board stating his position regarding the distance of one quarter mile versus one eighth mile in the Ordinance.

Jim Wallace commented that each Variation is unique and that he sees the validity of the eighth mile restriction in the Ordinance. Mr. Wallace reminded the Board that the intent of the Ordinance is to require businesses adding onto their establishments to provide parking that supports the additional commercial addition.

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Daluga to pass, as presented, the Ordinance listed as Item 6b.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

Trustee Yeagley commented that she voted against the Ordinance due to her belief that a precedent is being set with approval of the Ordinance.

President Reagle called a recess at 9:55pm. All of the members of the Board of Trustees and President Reagle who were present at the start of the recess returned to the dais at 10:05pm at which time President Reagle reconvened the meeting.

NEW BUSINESS

7a. REVIEW & DECISION: ARC Appeal – Cedar Roofing Company (312 West Main Street)

Presentations

Jeff O'Brien presented a staff report which summarized the role of the Village Board in the Appeal process and gave a summary of the ARC Decision and the Appeal itself.

Petitioner Matt Wilkenson of Cedar Roofing Company at 312 West Main Street asked that the Board consider the skylights in that they are compatible with the building. The Board commented that the building has improved as a result of the construction. The Board commented that the skylights were not in the plan that was approved by the ARC or by the Board of Trustees and that the role of the Board is to determine if the ARC made an error in their decision. The Board clarified that the ARC has recommended that only some of the skylights be removed not all. The Board suggested that the skylights that exist elsewhere in the Historic District may have been installed prior to the creation of the Historic District.

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Raseman to uphold the Certificate of Appropriateness originally approved by the ARC.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, nay; Trustee Daluga, aye; President Reagle, nay. President Reagle declared the motion passed.

7b. ORDINANCE: Seventh Amendment to the Text of the Zoning Ordinance of the Village of Barrington Adopted on March 19, 2001 (Ordinance No. 01-2919) (Relating to Billiards Tables and Other Similar Table Games)

or

ORDINANCE: Seventh Amendment to the Text of the Zoning Ordinance of the Village of Barrington Adopted on March 19, 2001 (Ordinance No. 01-2919) (Relating to Electronic Amusement Devices, Billiards Tables and Other Similar Table Games)

Jeff O'Brien reviewed highlights of both Ordinances and pointed out that the first proposed Ordinance follows the recommendation of the Plan Commission and the second proposed Ordinance reflected the recommendation of Village Staff. The Board commented that businesses will decide if the use of these entertainment options is appropriate.

MOTION: A motion was duly made by Trustee Yeagley and seconded by Trustee Raseman to pass, as presented, the Ordinance reflecting the recommendation of the Village Staff listed as the second item designated 7b on the Agendas as follows:

ORDINANCE #04-3160: Seventh Amendment to the Text of the Zoning Ordinance of the Village of Barrington Adopted on March 19, 2001 (Ordinance No. 01-2919) (Relating to Electronic Amusement Devices, Billiards Tables and Other Similar Table Games)

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

7c. ORDINANCE #04-3161: Zoning Map Amendment and Planned Development Ordinance for the Wamberg Family Partnership Property (Re: Wamberg Family Partnership Property; 700 West Main Street) (PC 02-05)

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Dalulga to pass the Ordinance listed as Item 7c with the following three (3) corrections:

1. On Page 1, in the first whereas provision, change "9.4.E" to "9.4.F".
2. On Page 6 in the Number 2 change the phrase "this Ordinance" to the "Village Zoning Ordinance".
3. On Page 27, add the word "Group" at the top before "Exhibit B".

The Board commented that the project is complicated by the required approval of improvements to roads and intersections around the project by other governmental bodies. The Board commented that protections for the Village of Barrington as well as the Petitioner exist in the document.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

7d. RESOLUTION #04-3026: ARC 02-19; Clark Consulting Building - 700 West Main Street (Certificate of Approval)

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Hunt to pass the Resolution listed as item 7d with the correction in the second whereas provision by deleting the reference to remodeling a building and inserting a provision referring to the construction of a new office building containing approximately 40,000 square feet.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

PAYMENT OF BILLS:

WARRANTS' LIST -6/14/04 - \$ 300,936.90 (GENERAL)

MOTION: A motion was duly made by Trustee Yeagley and seconded by Trustee Hunt to approve the payment of the bills included on the voucher listing for the period ending 06/14/04 in the amount of \$ 300,936.90.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

WARRANTS' LIST - 6/14/04 - \$ 1,171.71 (COMED)

Trustee Hunt noted for the record that, due to a conflict of interest, he was recusing himself from deliberation on this matter in any way.

MOTION: A motion was duly made by Trustee Yeagley and seconded by Trustee Darch to approve the payment of the bills included on the voucher listing for the period ending 06/14/04 in the amount of \$1,171.71.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, recused; Trustee Daluga, aye. President Reagle declared the motion passed.

WARRANTS' LIST - 6/14/04 - \$ 9,839.15 (125 REIMBURSEMENT)

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Yeagley to approve the payment of the bills included on the voucher listing for the period ending 06/14/04 in the amount of \$ 9,839.15.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

COMMENTS – “ROUND THE TABLE”

Trustee Darch thanked the Barrington High School for a great job on the graduation ceremony and congratulated all those students who graduated.

Trustee Schaefer urged residents to attend Committee meetings where the work of the Village of Barrington is conducted that would allow residents to gain insight into the issues that face the Board. Trustee Schaefer commended the Staff and pointed out some of the awards that the Village of Barrington has been issued.

Trustee Raseman commented that criticisms are leveled at the Board and that residents who might be dissatisfied should discuss their positions with the Board. Trustee Raseman urged President Reagle to make recommendations based on the interviews.

Trustee Yeagley commented that she laments the legal expenses that have been incurred by the Village of Barrington in defending itself in the lawsuit brought by President Reagle. Trustee Yeagley said that the Board has sought to limit President Reagle's right to trusted legal representation. Trustee Yeagley concluded by saying that she was having too much fun in her 38 months on the Board.

Trustee Hunt said that the Village of Barrington will continue to do business in spite of the distractions faced by the Board.

Trustee Daluga commented on recent traffic accidents in Barrington Hills and urged residents to support Christina's Trust Fund managed by Bank One.

President Reagle apologized to the applicants for open Board positions for the delay in making nominations. President Reagle thanked the Organizers of Relay for Life.

CLOSED SESSION: (This session shall be closed to the general public and media. Items discussed in Closed Session may be acted upon in open session following the completion of the Closed Session).

CONSIDERATION RE: Motion to Adjourn to Closed Session Personnel (5ILCS 120/2 (c) (1), Litigation (5ILCS 120/2(c)(11), Land Acquisition (5ILCS 120/2 (c) (5), Collective Negotiating Matters (5ILCS 120/2 (c) (2).

MOTION: Trustee Darch moved, seconded by Trustee Yeagley, that the Corporate Authorities adjourn to Closed Session for the purpose of the consideration of appointment, employment, compensation, discipline performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity, pursuant to Chapter 5 ILCS 120/2(c)(1) and for the purpose of the consideration of litigation that has been filed and is pending before a court or administrative tribunal, or an action that is probable or imminent, pursuant to Chapter 5 ILCS 120/2(c)(11).

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed unanimously.

The time was 11:25 p.m.

RESUMPTION OF PUBLIC PORTION OF MEETING

The public portion of the meeting resumed at 1:08a.m., Tuesday, June 15, 2004.

It was noted for the record that all Trustees and the Village President who were present prior to the commencement of the closed session were still present with the exception of Trustee Yeagley.

ADJOURNMENT

MOTION: A motion was duly made by Trustee Hunt and seconded by Trustee Daluga to adjourn the Regular Meeting of the President and Board of Trustees.

A voice vote was then called following which President Reagle declared the motion to adjourn had been unanimously adopted and the meeting was adjourned. The time was 1:08a.m. Tuesday, June 15, 2004

Ron Koppelman, Village Clerk